IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 738 of 2003

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

C.G. GLASS LIMITED PHILIPS GLASS INDIA LIMITED

Versus

ASSISTANT COMMISSIONER OF LABOUR

Appearance:

1. Special Civil Application No. 738 of 2003

MR KM PATEL for Petitioner No. 1

MR KP RAVAL AGP for Respondent No. 1,7

MR RD RAVAL for Respondent No. 2-4,8

RULE SERVED for Respondent No. 5-6

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 06/08/2004

ORAL JUDGEMENT

1.0 The petitioner herein has challenged the order dated 03/12/01 passed by respondent no.1 at Annexure `E' to the petition whereby, respondents no.2 to 6 were declared as protected workmen and also the order dated 30/01/02 at Annexure `G' to the petition by which the review application was rejected.

2.0 The matter was heard at length on 05/08/04 and at the suggestion of the Court, both the parties have reached to an agreement. The terms of the agreement are as follows;

3.0 The petitioner Company will pay Rs.1,00,000 (Rupees One Lac only) to each of the respondents i.e. respondents no.2-Dharmendra Manjubhai Patel, no.3-Yogeshkumar Gordhanbhai Patel, no.4-Dilipkumar Jaswantlal Darji & no.5-Mahesh Raisinh Rajput towards full and final settlement of reinstatement, back wages and other terminal benefits. The respective parties are directed to withdraw all the proceedings pending before the Labour Court / Industrial Court.

3.1 The above payment is directed to be made within a period of one month from the date of receipt of writ of this order, failing which it would be open to Mr.R D Raval to approach this Court by way of appropriate application.

3.2 Mr.R D Raval learned advocate for the respondents has made the aforesaid statement on instructions from Shri Narpatsinh Solanki, Secretary of respondent no.8 Union and Mr.K M Patel for the petitioner has made the statement on instructions from Mrs.Kailash Parekh, Manager, Human Resources of the petitioner Company.

3.3 The petitioner Company will also pay Rs.15,000/- (Rupees Fifteen Thousand Only) towards cost of this litigation to respondent no.8 Union.

3.4 With the aforesaid directions, the petition stands disposed of. Rule is made absolute to the aforesaid extent.

(K. S. Jhaveri, J.)

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